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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 JOHN GABOR and KAY GABOR,

8 Plaintiffs,

9 v.

10 ESTATE OF MIRIAM CARTER
11 DESHLER, LORD & CARTER
12 TRUST & TRUSTEE SERVICES,
REBECCA HARRIS, and KRISTIN
HUMPHREY,

13 Defendants.

NO: 2:18-CV-0312-TOR

ORDER GRANTING REQUESTED
STIPULATION

14
15 BEFORE THE COURT is Plaintiff John Gabor and Kay Gabor's Motion to
16 for a Temporary Restraining Order and Preliminary Injunction (ECF No. 131) and
17 corresponding Motion to Expedite (ECF No. 132), along with the Parties'
18 Stipulation and Proposed Order (ECF No. 133). These matters were submitted
19 without a request for oral argument. The Court – having reviewed the record and
20 completed briefing – is fully informed.

1 On June 21, 2019, Plaintiffs requested the Court enter a temporary restraining
2 order and preliminary injunction preventing Defendants from moving or spending
3 funds traced to the Blue Mountain Trust. ECF No. 131. The Parties have since
4 come to an agreement on the matter and request the Court enter an Order
5 incorporating the terms of their stipulation. ECF No. 133 at 2. For good cause
6 shown, the request for an Order incorporating the terms of the stipulation (ECF No.
7 133) is **granted**. The remaining motions (ECF Nos. 131; 132) are **denied as moot**.

8 **ACCORDINGLY, IT IS ORDERED:**

9 1. Plaintiff John Gabor and Kay Gabor's Motion to for a Temporary
10 Restraining Order and Preliminary Injunction (ECF No. 131) and Motion to
11 Expedite (ECF No. 132) are **DENIED AS MOOT**.

12 2. The Parties' Request to Approve Stipulation (ECF No. 133) is **GRANTED**.

13 It is Ordered that:

14 a. Defendants Kristin Humphrey and Rebecca Harris will not withdraw,
15 spend, transfer or otherwise dissipate any assets removed from, or
16 traceable to, the Blue Mountain Trust (e.g. funds removed from the
17 trust, or funds received from assets purchased with funds from the
18 trust) except to pay the normal and regular costs and expenses
19 necessary for the adequate management of the property held by the
20 trusts they oversee (such as maintenance and taxes) and to pay Ms.

1 Harris her customary management fee of \$250 per month (which is a
2 total amount for the management of all the trusts) until the date that
3 judgment is entered in this action;

4 b. Defendants Kristin Humphrey and Rebecca Harris will not withdraw,
5 spend, transfer or otherwise dissipate any assets held in the Home
6 Sanctuary Trust; Leprechaun Trust; Nebraska Hotel Trust; Paul
7 Revere Financial Group Trust; Perry Street Trust; Black Bear Storage
8 Trust; Buckeye Property Trust; Chelan Trust; Hammer Lok Trust;
9 Newell Trust; Marathon Agency; Costello Company; Orion Trust;
10 Marathon Trust; and Castle Guard Trust except to pay the normal and
11 regular costs and expenses necessary for the adequate management of
12 the property held by the trusts they oversee (such as maintenance and
13 taxes) and to pay Ms. Harris her customary management fee of \$250
14 per month (which is a total amount for the management of all the
15 trusts) until the date that judgment is entered in this action; and


16 c. Defendants Harris and Humphrey agree to promptly provide to
17 Plaintiffs as they become available monthly bank statements and
18 receipts for all expenditures for the Home Sanctuary Trust;
19 Leprechaun Trust; Nebraska Hotel Trust; Paul Revere Financial
20 Group Trust; Perry Street Trust; Black Bear Storage Trust; Buckeye

1 Property Trust; Chelan Trust; Hammer Lok Trust; Newell Trust;
2 Marathon Agency; Costello Company; Orion Trust; Marathon Trust;
3 and Castle Guard Trust until the date that judgment is entered in this
4 action.

5 The District Court Clerk is directed to enter this Order and provide copies to
6 counsel.

7 DATED July 1, 2019.




THOMAS O. RICE
Chief United States District Judge